

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0253

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

JOSHUA HAWKEYE LEWIS,

Defendant and Appellant.

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FILED

MAY 11 2010

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**ORDER**

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On August 29, 2007, a justice court jury found the Appellant Joshua Hawkeye Lewis guilty of violating an order of protection. On September 11, 2007, Lewis filed a notice of appeal, requesting a trial *de novo* in the district court. On December 5, 2008, a district court jury found Lewis guilty of violating an order of protection.

On appeal, Lewis argues that the district court erred in denying his motion to dismiss for lack of a speedy trial and his motion for a mistrial. On April 29, 2010, the State filed a Notice of Concession, requesting that Lewis's conviction for violating an order of protection be reversed and the case dismissed.

The Court now having reviewed this matter,

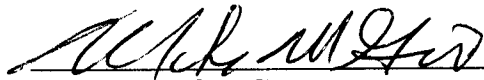
IT IS ORDERED that Lewis's conviction for violating an order of protection shall be reversed and this case is dismissed.

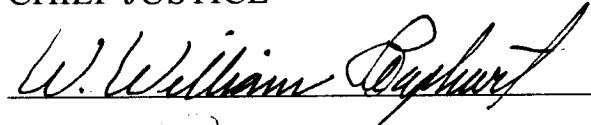
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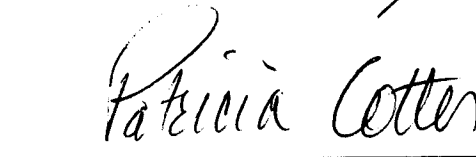
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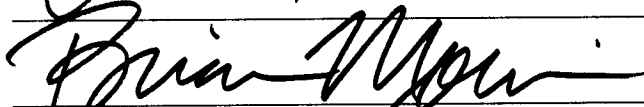
The Clerk is directed to provide copies of this order to all counsel of record and to the Honorable E. Wayne Phillips, presiding District Court Judge.

DATED this 11<sup>th</sup> day of May, 2010.

  
CHIEF JUSTICE





  
  
JUSTICES